

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

---

JOHN HAYNES and  
ANDREW MONTGOMERY,

1:20-cv-5515 (NLH) (JS)

**MEMORANDUM OPINION & ORDER**

Plaintiffs,

v.

LOVETT, et al.,

Defendants.

---

**APPEARANCES:**

John Haynes  
71371-050  
Ray Brook  
Federal Correctional Institution  
Inmate Mail/Parcels  
P.O. Box 300  
Ray Brook, NY 12977

Andrew Montgomery  
32735-018  
Ray Brook  
Federal Correctional Institution  
Inmate Mail/Parcels  
P.O. Box 300  
Ray Brook, NY 12977

Plaintiff pro se

**HILLMAN, District Judge**

WHEREAS, Plaintiffs John Haynes and Andrew Montgomery filed a civil rights complaint pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) on May 4, 2020, see ECF No. 1; and

WHEREAS, Plaintiffs are federal prisoners confined in FCI Ray Brook, located in the Northern District of New York; and

WHEREAS, Plaintiffs allege they were exposed to covid-19 due to the inaction of the Warden of FCI Ray Brook and were denied release under the CARES Act; and

WHEREAS, there are no allegations in the complaint occurring within the District of New Jersey; and

WHEREAS, as all the events occurred within the Northern District of New York, the Court concludes the interests of justice would be better served by transferring this action to the Northern District of New York for resolution. See 28 U.S.C. § 1404(a) ("For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought . . . .");

THEREFORE, IT IS on this 5th day of May, 2020

ORDERED that the Clerk shall transfer this matter to the United States District Court for the Northern District of New York, 28 U.S.C. § 1404(a); and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Plaintiffs by regular mail and close this matter.

At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.